

United States Courts
Southern District of Texas
FILED

APR 08 2018

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Juan Alfonso HERNANDEZ Jr.

CRIMINAL COMPLAINT

Case Number: 2:18mj414

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 8, 2018 in Brooks County, in the Southern District of Texas defendant, Juan Alfonso HERNANDEZ Jr.

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

Eugenio Garza

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

Signature of Complainant

Eugenio Garza

Printed Name of Complainant

April 8, 2018 at 1:05 pm

Date

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On April 6, 2018, Juan Alfonso HERNANDEZ Jr. was arrested at the United States Border Patrol Checkpoint near Falfurrias, Texas for attempting to smuggle one undocumented alien (UDA).

FACTS/DETAILS:

On April 6, 2018, Border Patrol Agent (BPA) V. Prado was working assigned duties at the United States Border Patrol Checkpoint located south of Falfurrias, Texas. At approximately 9:20 PM, a red 2012 Dodge Charger approached her position at primary for an immigration inspection.

Once the vehicle came to a complete stop, BPA PRADO asked both the driver and passenger, "Is everyone United States citizens?" HERNANDEZ responded, "Yes, I am." BPA PRADO then looked at the passenger, later identified as Juan Ramon Estrada-Ramos, to answer the immigration question. When ESTRADA-Ramos noticed BPA PRADO was attempting to communicate with him, he looked to HERNANDEZ as if asking for help. HERNANDEZ then stepped in and stated, "We were just going to work." BPA PRADO then asked both HERNANDEZ and ESTRADA-Ramos for any identification. ESTRADA-Ramos continued to look towards HERNANDEZ with a confused look. HERNANDEZ reached into his back pocket and handed BPA PRADO his Texas Identification Card. ESTRADA-Ramos began to reach into his back pocket, just as HERNANDEZ did, but did not pull out anything and mumbled something to HERNANDEZ. HERNANDEZ looked at BPA PRADO and stated ESTRADA-Ramos had forgotten his identification at home. BPA PRADO then asked HERNANDEZ how often they rode to work together. HERNANDEZ stated they've driven together on several occasions. Subsequently, BPA PRADO asked HERNANDEZ to park his vehicle in the secondary inspection area in order to perform a further immigration inspection on ESTRADA-Ramos.

Once in the secondary inspection area, Border Patrol Agents removed all occupants from the vehicle and discovered Juan Ramon ESTRADA-Ramos was illegally present in the United States. Both occupants were placed under arrest and escorted inside the checkpoint.

PRINCIPAL STATEMENT, (Juan Alfonso HERNANDEZ Jr)

BPA V. PRADO read Juan Alfonso Hernandez Jr. his Miranda Rights at 10:42 PM in his preferred language of English. Hernandez stated he was willing to give a statement without the presence of an attorney. Border Patrol Agent Mario Robles witnessed the reading of Hernandez's rights. HERNANDEZ later gave a video statement.

Juan Alfonso Hernandez Jr. stated he traveled from Kermit, Texas on Tuesday night (April 3, 2018) and arrived in the valley at 5:00 a.m. HERNANDEZ said he stayed at the Texas Inn Motel in downtown McAllen, Tx. HERNANDEZ said he came down to the valley with the

intentions of spending time with his children, but he was unable to see them because his ex-wife has custody of the children and he had failed to tell his ex-wife of his intentions. HERNANDEZ checked out of the Texas Inn Motel today (April 6, 2018) at noon and went to eat, get a haircut, and visited either a Chili's Restaurant or Buffalo Wild Wings. HERNANDEZ said he met Juan Ramon Estrada-Ramos at one of the restaurants, but does not remember which one. HERNANDEZ claims he was only giving Estrada-Ramos a ride north and was not aware of his citizenship.

NOTE: Juan Alfonso HERNANDEZ Jr. states on video that he is a Valluco gang member.


MATERIAL WITNESS STATEMENT, (Juan Ramon ESTRADA-Ramos)

Juan Ramon ESTRADA-Ramos was advised of his Miranda Rights in the Spanish language by BPA M. ROBLES and witnessed by BPA V. PRADO. ESTRADA said he understood his rights and was willing to make a statement without the presence of an attorney. ESTRADA later gave a video sworn statement.

Juan Ramon Estrada-Robles stated he illegally crossed into the United States on March 30, 2018 near Reynosa. ESTRADA-Ramos stated he was taken to an unknown stash house. ESTRADA-Ramos said he stayed at this house alone and did not travel to any other houses. ESTRADA-Ramos said on today's date (April 6, 2018), a black vehicle (unknown make/model) arrived at the house and honked the horn. After hearing the honk, ESTRADA-Ramos exited the house and was instructed by the driver of the black car to walk to the end of the street and that he would be picked up there. ESTRADA-Ramos was later picked up by HERNANDEZ in the red Dodge Charger at the end of that street.

DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Amanda Gould who accepted Juan Alfonso HERNANDEZ Jr. for prosecution of 8 USC 1324, Alien Smuggling. Juan Ramon ESTRADA-Ramos will be held as a Material Witness.


Eugenio Garza Jr.
Border Patrol Agent

Submitted by reliable electronic means,
sworn to, signature attested telephonically
per Fed.R.Crim.P. 4.1, and probable cause found
on this day April 8, 2018:


B. Janice Ellington
United States Magistrate Judge